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December 7, 2016

VIA ECF

Honorable Vernon S. Broderick
United States District Court for the
Southern District of New York
Thurgood Marshall United States Courthouse
40 Foley Square, Courtroom 518
New York, New York 10007

Re: Underdog Trucking, L.L.C. v. Verizon Commn'cs Inc.
SDNY Docket No. 16 Civ. 5654 (VSB)
KM&M File No. 10503.00183

Dear Judge Broderick:

We represent Defendants Verizon Communications Inc. ("VCI") and Cellco Partnership d/b/a Verizon Wireless ("VZW") in the above-referenced matter. We write in response to the letter filed yesterday by Plaintiffs requesting an adjournment of the December 8, 2016 conference and ask that the conference go forward as scheduled.

As previously stipulated to with Plaintiffs, VCI and VZW had until December 5, 2016 to answer, move or otherwise respond to the amended complaint. In light of the conference scheduled for December 8, 2016, VCI and VZW filed their pre-motion conference request letter prior to this deadline, on November 30, 2016, so that Plaintiffs would have adequate time to respond prior to the conference (under Your Honor's Individual Rules of Practice in Civil Cases, their response was due on December 5, 2016). Had Plaintiffs submitted a timely response to VCI and VZW's letter, the Court could then efficiently address the pre-motion conference letters submitted by both sets of Defendants at the same conference. Given the baseless nature of Plaintiffs claims, VCI and VZW wish to resolve this matter as soon as possible, and therefore ask that the conference proceed on December 8, 2016. Additionally, we note that Plaintiffs' counsel previously informed the Court that he would not be leaving for his overseas trip until December 14, 2016; perhaps the conference could be rescheduled prior to that date.

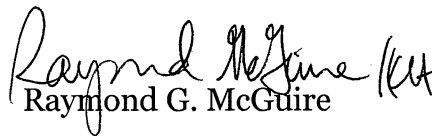
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Should the Court decide to grant Plaintiff's request, we ask that the conference be scheduled after January 9, 2016.

Thank you for your consideration.

Very truly yours,


Raymond G. McGuire

cc: Michael Hardy, Esq.
Japheth N. Matemu, Esq.